

DEPARTMENT OF THE NAVY
Office of the Secretary
Washington, DC 20350-1000

SECNAVINST 1421.4D
OP-130R2
21 September 1988

SECNAV INSTRUCTION 1421.4D

From: Secretary of the Navy
To: All Ships and Stations

Subj: PROMOTION OF OFFICERS TO
THE PERMANENT GRADE OF
LIEUTENANT JUNIOR GRADE IN
THE NAVAL RESERVE AND TO
THE GRADE OF FIRST LIEUTENANT
IN THE MARINE CORPS
RESERVE

Ref: (a) Title 10, United States Code
(NOTAL)
(b) SECNAVINST 1412.6J
(c) SECNAVINST 1920.6A
(d) MCO P1900.16C (NOTAL)
(e) SECNAVINST 1427.1B
(f) MCO P1400.31 (NOTAL)
(g) MILPERSMAN 2220150

1. Purpose. To prescribe procedures for promotions to the permanent grade of lieutenant junior grade in the Naval Reserve and first lieutenant in the Marine Corps Reserve pursuant to reference (a), and for the removal from an active status or discharge of officers who are not qualified to be promoted to these grades. This is a complete revision and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 1421.4C

3. Applicability. This instruction applies to Reserve ensigns and Marine Corps second lieutenants who are not on the active duty list and are not subject to reference (b). Included are Naval Reserve Officers assigned to the Training and Administration of the Reserve (TAR) program, Marine Corps Reserve officers on active duty in full time support of the Reserve Establishment, Reserve officers on active duty for special work (ADSW), officers on active duty for training (ACDUTRA), officers in the Uniformed Services of the University Health Sciences (USUHS) program, and Reserve officers serving on inactive duty.

4. Background. Section 5908 of reference (a) states that Naval Reserve ensigns and Marine

Corps Reserve second lieutenants may be promoted under regulations prescribed by the Secretary of the Navy whenever ensigns and second lieutenants on the active duty list are being promoted with less than 3 years of service in grade. Regulations issued under section 5910 must provide for equality of opportunity for consideration for promotion among officers of the Naval Reserve and among officers of the Marine Corps Reserve.

5. Policy

a. Department of the Navy policy is to promote ensigns and second lieutenants as soon as qualified after completing 24 months of service in grade. Frocking is not authorized to the grade of lieutenant junior grade or first lieutenant.

b. The continued military service of Reserve officers not on the active duty list who are not qualified for such promotion is inconsistent with the mission requirements of the Department of the Navy, and such officers shall be discharged. Those unqualified for promotion after 24 months of service shall be given an opportunity to overcome their deficiencies. Those who do not qualify for promotion to O-2 or who refuse to accept an appointment to O-2 shall be processed for separation under references (c) and (d).

6. Promotion Appointment Authority

a. Consistent with the time-in-grade requirements specified for active duty list promotions, the Secretary of the Navy appoints to the grade of lieutenant junior grade or first lieutenant, each qualified officer, not on the active duty list of the Naval or Marine Corps Reserve, serving under an appointment in the grade of ensign or second lieutenant upon completion of 24 months of service in grade. Officers so appointed will be assigned a running mate, precedence number, and competitive category as prescribed in reference (e).

b. Officers so appointed rank from their date of appointment to lieutenant junior grade or first lieutenant. Pay and allowances are effective and accrue from this same date. The officers so appointed are considered as having accepted the appointment unless they expressly decline the appointment or the appointment is delayed under this instruction.

c. An example of computing eligibility for promotion under this authority is illustrated in the case of an ensign/second lieutenant whose date of rank is 2 October 1985. Such officer will complete 24 months in grade on 1 October 1987 and will be eligible for promotion the following day, 2 October 1987.

7. **Qualification for Promotion.** Commanding officers will determine whether an officer under his or her command is qualified to serve in the grade of lieutenant junior grade or first lieutenant and must delay the promotion of those unqualified for service in the higher pay grade. Unqualified officers will not be promoted. Qualifications for promotion include:

a. **Physical Qualifications.** These standards are established by the Chief of Naval Operations and the Commandant of the Marine Corps in consultation with the Surgeon General of the Navy. Individuals must meet physical standards for active duty as specified by Commander, Naval Medical Command (references (f) and (g)).

b. **Mental, Moral, and Professional Qualifications.** The commanding officer will determine whether the officer is mentally, morally, and professionally qualified for promotion based upon the officer's overall professional performance, skills, abilities, and personal traits. Failure to completely qualify in a professional specialty field or satisfactorily conduct a task should not alone be considered grounds for delay of promotion.

c. **Age-in-Grade Restrictions.** Restrictions for age in grade are found in reference (c).

8. **Delay of Promotion.** The promotion of an officer to O-2 may be delayed under the following guidelines:

a. **Delay for Administrative or Legal Reasons.** The commanding officer may delay promotion when:

(1) Sworn charges against the officer have been received from an officer exercising general court-martial jurisdiction over the officer and such charges have not been disposed of.

(2) An investigation is being conducted to determine whether disciplinary action should be brought against the officer.

(3) A board of officers or board of inquiry has been ordered to convene under reference (c) to determine whether that officer should be separated for cause due to misconduct, moral or professional dereliction, substandard performance, or because retention is not in the best interest of national security.

(4) A criminal proceeding in a federal or state court is pending against the officer.

b. If, after a promotion has been delayed under paragraph 8a, no disciplinary action is taken against the officer, the charges against the officer are withdrawn or dismissed, the officer is not ordered administratively separated under reference (c), or the officer is acquitted of the charges against him or her then, unless action has been taken to delay the appointment under paragraph 8c, the officer will be promoted with the same date of rank, effective date for pay and allowances in the higher grade, and relative precedence position as if no delay had occurred.

c. **Delay for Physical, Mental, Moral, or Professional Reasons.** The commanding officer may delay promotion when there is cause to believe that the officer is mentally, physically, morally, or professionally unqualified to perform the duties of the higher grade. The officer will be given the opportunity to improve in order to become qualified to perform the duties of the next higher grade. If the officer is later found qualified for promotion, the officer shall upon promotion, have the same date of rank, effective date for pay and allowances, and relative precedence position as if no delay had occurred.

d. **Written Notice.** The promotion of an officer may not be delayed under this instruction unless the officer has been given written notice of the reason for the delay except where impracticable due to lack of time before the intended date of the appointment. In such case, written notice will be given as soon as practicable. An officer whose promotion has been delayed shall be given an opportunity to submit a written statement to Commander, Naval Military Personnel Command (NMPC-82) or the Commandant of the Marine Corps (CMC) (Code MM) via the commanding officer. The commanding officer may comment further on the officer's statement. An officer who declines the right to make a formal statement shall so state in writing. Correspondence under this instruction will be forwarded with the report required in paragraph 10d to NMPC-82, copy to NMPC-93 and Commander, Naval Reserve Personnel Center (NRPC) (Code 40), or CMC (Code MM), as appropriate.

e. **Review by the Commander, Naval Military Personnel Command (NMPC) or Commandant of the Marine Corps (CMC).** The Commander, Naval Military Personnel Command or the Commandant of the Marine Corps (Code MM) will determine whether the officer is unqualified for promotion and approve or disapprove the delay of a promotion. If the delay is terminated by NMPC or CMC (Code MM) or the commanding officer later determines that the officer is qualified for promotion and obtains approval from NMPC or CMC (Code MM) to rescind the delay, the officer shall be promoted with the same date of rank, effective date for pay and allowances, and relative precedence position as if no delay had occurred.

f. **Maximum Period of Delay.** An officer whose promotion is delayed will not be removed from an active status for at least six months after the date on which the original promotion would have occurred unless retention is inconsistent with good order and discipline. If NMPC or CMC determines that the officer is still unqualified for promotion after the six-month period prescribed, the officer shall be removed from an active status or discharged following the guidelines for unqualified officers in reference (c).

9. **Failure to Accept Appointment to O-2.** If an officer declines appointment, he or she will so state by endorsement on NAVPERS 1421/7, or by letter or administrative action form for Marine Corps, and the offer of appointment will terminate. The commanding officer shall forward the original of the officer's declination to NMPC-93 or CMC (Code MM). An officer who fails to accept an appointment to the grade O-2 shall be processed for an Honorable discharge under, and subject to, the limitations of reference (c).

10. Action

a. **Navy.** Commanding officers shall promote qualified officers in writing using NAVPERS 1421/7, citing this instruction and section 5908 of reference (a). The appointee will accept or decline the appointment by written endorsement. After receipt of the NAVPERS 1421/7 by NMPC-93, commissions will be forwarded to the officer. To speed receipt of the commission, commands should include a self-addressed OP-NAV 5216/148 (DON mailing label) with the original NAVPERS 1421/7.

b. **Marine Corps.** The CMC will authorize commanding officers by message to promote qualified second lieutenants. Certificates of promotion will be mailed by Headquarters, Marine Corps as soon as practicable.

c. **Temporary Additional Duty (TAD).** The commanding officer of the temporary duty activity may promote that officer with the written concurrence of the parent commanding officer. To avoid delay, parent commanding officers may concur in advance.

d. **Report of Delay of an Appointment.** Commanding officers must report any delay of an appointment by letter to NMPC-82, or CMC (Code JAS). The report will include the date and reason the officer was found not qualified and a recommendation for disposition.

11. Report and Forms

a. The report required by this instruction is exempt from reports control by SECNAVINST 5214.2A.

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b. NAVPERS 1421/7 (REV. 2-82), S/N 0106-LF-014-2138, and OPNAV 5216/148 (DON mailing label), S/N 0107-LF-778-8130 may be obtained through normal supply channels per NAVSUP P2002.

KENNETH P. BERGQUIST
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)

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